

REMARKS

The issues outstanding in the office action mailed May 24, 2006, are the rejections under 35 U.S.C. §§112, 101 and 102. Reconsideration of these issues, in view of the following discussion, is respectfully requested.

Rejections under 35 U.S.C. §112

Claims 1-11 have been rejected under 35 U.S.C. §112, second paragraph. It is argued that the claims are indefinite in view of their European format. The claims have been rewritten for US practice, and it is submitted that this rejection is accordingly moot. It is moreover noted that the scope of the claims has not been changed by these amendments, either literally or for purposes of the doctrine of equivalents. Withdrawal of the rejection is therefore respectfully requested.

Rejection under 35 U.S.C. §101

Claims 1-11 have been rejected under 35 U.S.C. §101. Claims 12-14 have also been separately rejected under §101. Reconsideration of each of these rejections is respectfully requested, in view of the above noted reformatting of the claims for US practice. It is submitted that the statute is fully satisfied. It is also again noted that the scope of the claims has not been changed by these amendments.

Rejection under U.S.C. §102

Claims 1-11 have been rejected under 35 U.S.C. §102(b) over Gilje et al. Reconsideration of this rejection is respectfully requested. Contrary to the indication at page 4 of the office action, Gilje does *not* disclose applicants' process for the preparation of perfluoroalkyl phosphines. Moreover, Gilje does not disclose any process for producing perfluoroalkyl phosphines, whatsoever. The authors disclose a process for the production of phosphorus(V) hydrides, by vapor phase reaction of fluorophosphorane with Me₃SiH. The present claims have been clarified in order to indicate that perfluoroalkyl *phosphines*, that is, compounds in which phosphorus is *not* of oxidation state 5, but instead of oxidation state 3, are produced therein. Moreover, the claims have been clarified in order to contain the subject matter of claim 9, reciting the refluxing step which results in the production of compounds

with such oxidation state, rather than the materials produced in the reference. The authors of the reference disclose only stirring at ambient temperature, see page 813, left column, third paragraph

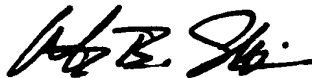
It is accordingly respectfully submitted that Gilje neither discloses nor suggests the production of phosphines and, as a result, that the rejection should be withdrawn. The same is respectfully requested.

Moreover, it is submitted that the office action fails to provide any disclosure or teaching of the particular phosphines starting materials listing in claim 3. It appears that there is overlap in starting materials in the reference *only* if the authors variable n is 1. Thus, claim 3 is further patentable over the disclosure of the reference.

The claims in the application are submitted to be in condition for allowance. However, if the examiner has any questions or comments, he or she is cordially invited to telephone the undersigned at the number below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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Attorney Docket No.: **MERCK-2930**

Date: August 24, 2006

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